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Name: Kim R. Jessum

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MAR 18 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1600/2900

**In re Application of:**

MAXIMILIAN POLYAK, et al.

Application No.: 09/976,805

Filed: October 12, 2001

For: MACHINE PERFUSION SOLUTION  
FOR ORGAN AND BIOLOGICAL  
TISSUE PRESERVATION

Group Art Unit: 1651

**Examiner: Sandra E. Saucier**

Assistant Commissioner for Patents  
Washington, D.C. 20231

**Sir:**

## TRANSMITTAL LETTER

Enclosed please find a Response to Election/Restriction Requirement in connection with the above-referenced matter to be filed with your office.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS,

Date: March 10, 2003

By:

Kim R. Jessum

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Washington, D.C. 20231

Sir:

**RESPONSE TO ELECTION/RESTRICTION REQUIREMENT**

In response to the restriction requirement in the Office Action dated January 8, 2003, (Paper No. 6), Applicants respectfully elect, with traverse, Claims 1-5, 9-12, 20 and 26-28 drawn to an organ or biological tissue preservation aqueous machine perfusion solution. A petition for a one-month extension of time, together with the required fee, is being submitted simultaneously herewith.

**REMARKS**

The Examiner has made a restriction requirement requiring election between the inventions of :

Group I: Claims 2-5, 9-12, 20 drawn to a first solution comprising prostaglandin, NO donor, glutathione precursor, classified in class 435, subclasses 1.1, 1.2, 1.3, 2 and others.